

COUNTY OF YORK

MEMORANDUM

DATE: June 27, 2001 (BOS Mtg. 7/17/01)

TO: York County Board of Supervisors

FROM: James O. McReynolds, County Administrator

SUBJECT: Application No. ZM-58-01, Olivet Medical Ministry, Inc.,
t/a Lackey Free Family Clinic

ISSUE

Application No. ZM-58-01 is a request to amend the York County Zoning Map by reclassifying approximately a 1-acre portion of a 2.4-acre parcel located at the intersection of Dogwood Road (Route 659) and Old Williamsburg Road (Route 238) from R13 (High Density Single Family Residential) to NB (Neighborhood Business). The parcel is further identified as Assessor's Parcel No(s) 17-37D and 17-37A.

DESCRIPTION

Property Owner: Eloise Washington, Trustee

Location: The southside of Old Williamsburg Road (Route 238) at its intersection with Dogwood Road (Route 659)

Area: Approximately 1-acre

Frontage: 300 feet on Old Williamsburg Road (Route 238) and 400 feet on Dogwood Road (Route 659)

Utilities: Water and sanitary sewer available

Topography: Flat

2015 Land Use Map Designation: High Density Residential

Zoning Classification: R13 (High Density Single-family Residential)

Existing Development: None

Surrounding Development:

North: Old Williamsburg Road (Route 238)

South: Single family detached home

East: Dogwood Road

West: Single family detached home

Proposed Development: Medical Office – Lackey free clinic

CONSIDERATIONS/CONCLUSIONS

1. The applicant is requesting to amend the Zoning Map by reclassifying from R13 (High Density Single Family Residential) to NB (Neighborhood Business) a portion of two combined parcels located on the western corner of Dogwood Road's intersection with Route 238 (Old Williamsburg Road). The purpose of the request is to establish a medical office for the Lackey free clinic. Currently the free clinic is operating out of office space in the community center at Charles Brown Park. The applicant is seeking a permanent location for the office in the Lackey area to enhance its services to the community. The Comprehensive Plan designates this area as High Density Single-Family Residential.
2. In evaluating the rezoning application, it is important to recognize that not just the proposed use – a medical office – but also any other NB use will be permitted. There is no guarantee that the office, once established, will remain in operation forever or even be established in the first place. As stated in the Zoning Ordinance, "The NB district is intended to provide opportunities for limited types of commercial activities within or near residential districts and oriented primarily toward serving the day-to-day needs of nearby residential communities. The scope of commercial activities permitted is purposely limited in order to discourage substantial traffic from outside the immediate neighborhood... Because of the proximity to residences, particular attention is given to design and operational compatibility with homes."

The following commercial uses are not currently permitted as a matter of right but will be if the rezoning application is approved:

<ul style="list-style-type: none">• Farmer's market• Antique stores• Clothing stores• Grocery stores and gourmet food stores• Book stores• Piece good shops• Bike stores	<ul style="list-style-type: none">• Barber/beauty shops• Pre-school/day care• Dry cleaning/tailors, shoe repair• Banks and freestanding ATMs• Offices*• Professional pharmacies• Neighborhood shopping centers• Camera shops• Florists
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* The Zoning Ordinance defines office as follows: *"The facilities in which the administrative activities, record keeping, clerical work and other similar affairs of a business, profession, service, industry, or government are conducted and, in the case of professions such as dentists, **physicians**, lawyers or engineers, the facilities where such professional services are rendered"* [emphasis added].

The above uses are relatively low-impact uses that do not generate significant levels of noise or heavy truck traffic and, as such, can be compatible with residential development. I am confident that the limited size of the parcel (approximately 1-acre) will help to ensure that Neighborhood Business development will not have any adverse impacts on adjacent properties. The only properties that may be affected by the proposed use –or any other NB use that might eventually be located there - are single family homes to the west and south of the proposed clinic. If approved, a 25-foot

transitional buffer will be required between the office building site and adjacent properties. Currently the subject site has no professional landscaping; it is a vacant field.

3. Adequate parking for the medical office must be provided to ensure the safety of those visiting the clinic. The Zoning Ordinance requires one (1) space per three hundred (300) square feet of floor area. I believe that there is sufficient space on site to provide adequate parking. Considering the proposed use, there should be little demand pressures for parking on this property. Furthermore, Route 238 is not a congested roadway and most of the traffic is expected to be during off-peak hours. In any case, adequate parking will have to be provided in accordance with Article VI of the Zoning Ordinance. Although trip generation data for this type of use is not available because a proposed square footage of the medical office has not been submitted, I do not believe that the proposed use will generate significant traffic.
4. The only commercial zoning category in the Lackey area is Neighborhood Business. Most of this property fronts Route 238, as does the subject parcel. The intent is to provide visibility from Route 238 yet be situated close enough to the residential areas to allow easy access to the neighborhood business uses. I believe that reclassifying the property to NB would be a logical extension of the existing NB zoning category immediately adjacent to and east of the subject site.

PLANNING COMMISSION RECOMMENDATION

The Commission considered this application on June 13, 2001, after conducting a public hearing during which no one spoke except the applicant's representative, and subsequently recommended approval by a unanimous vote of 7:0.

COUNTY ADMINISTRATOR RECOMMENDATION

The NB district is intended for those properties that are suited for commercial activities but are located within or near residential districts. The scope of commercial activities permitted is purposely limited and the uses are oriented primarily toward the day-to-day needs of nearby residential communities. A medical office certainly meets that criterion. Although the Comprehensive Plan designates this property for High Density Single Family Residential uses, the location and character of this property are well suited for the Neighborhood Business classification. Because of these issues, I believe the property is suitable for neighborhood oriented commercial uses. Furthermore, this request represents an opportunity to enhance community services by providing a medical office in the Lackey area at a permanent location (please see attached letter from Community Services). Therefore, I recommend that the Board of Supervisors approve this request to change the zoning classification to NB (Neighborhood Business), a zoning classification that can accommodate the proposed medical office, through the adoption of Ordinance No. 01-15.

Carter/3337

Attachments

- Excerpts of unapproved minutes, PC meeting 6/13/01
- Zoning Map

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- Site Map
- Proposed survey plat
- Memorandum, A. B. Smith to Michael S. King, dated May 9, 2001
- Proposed Ordinance No. 01-15